

REMARKS/ARGUMENTS

Claims 1-14 are pending in this application. By this Amendment, claims 1, 3, 5 and 7-8 are amended and claims 9-14 are added. Reconsideration in view of the above amendments or the following remarks is respectfully requested.

Applicant sincerely acknowledges the Office Action's indication that claims 2 and 5 define patentable subject matter. However, for at least the reasons set forth below, Applicant respectfully submits all pending claims are in condition for allowance.

A. The Office Action rejects claims 1-8 under 35 U.S.C. §102(e) over U.S. Patent No. 6,850,494 to Bender. The rejection is respectfully traversed.

With respect to claim 1, Applicant respectfully submits that Bender fails to disclose claimed features as required under §102. For example, Bender fails to disclose at least the features of a PDSN receiving multicast packet data, transforming the multicast packet data to PPP frame format having an identification header, and transmitting multicast message from the PDSN to BSC/PCF and combinations thereof as recited.

In contrast, Applicants respectfully submit that Bender discloses a method and system for querying attributes in a cellular communication system. Bender discloses

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various topological Access Network reference models that each include Modem Pool Transceivers (MPTs), Model Pool Controllers (MPCs) and Network Access Servers (NAS). A traditional wireless network configuration or distributed MPTs (e.g., FIG. 1), a distributed NAS wireless communications network topology (e.g., FIG. 2A) and a distributed MPC wireless communications topology (e.g., FIG. 2B) are shown. Bender discloses the NAS can provide access to services on a network in a controlled fashion. See column 4, lines 29-30. However, with respect to satisfying paging information discovery needs for an MPC to dynamically query information needed for Access Terminal (AT) paging from MPTs, Bender discloses a paging area includes all MPTs in which an AT would not perform a location update if the AT had performed a location update in the root MPT. See column 21, lines 9-16 and column 17, lines 37-55. Further, Bender discloses the MPC sends a copy of page message to each MPT in the page area where the IP address used by the MPT may be unicast, multicast or broadcast to reduce the number of page messages the MPC must send. Thus, Applicants respectfully submit that Bender teaches such messages transmitted from the MPC to the MPTs. See FIG. 17 and column 21, lines 9-16 and column 22, line 62–column 23, line 9 of Bender.

Further, Applicant respectfully submits Bender does not teach or suggest any

modification to its disclosure that would result in at least features of a method for multicasting/broadcasting IP data in a mobile communications system including transmitting multicast message from the PDSN to BSC/PCF and combinations thereof as recited.

For at least the reasons set forth above, Applicant respectfully submits that claim 1 defines patentable subject matter. Claims 7 and 8 define patentable subject matter for at least the reasons similar to claim 1. Claims 3-4 and 6 depend from claim 1 and therefore also define patentable subject matter for at least that reason as well as the additionally recited features. Withdrawal of the rejection of the claims 1, 3-4 and 6-8 under §102 is respectfully requested.

B. Claims 9-14 are newly added by this Amendment and believed to be in condition for allowance. For example, new independent claim 14 is directed to features of original claim 5.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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